

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGIA-PACIFIC CONSUMER PRODUCTS
LP, FORT JAMES CORPORATION, and
GEORGIA-PACIFIC LLC,

Plaintiffs,

Case No. 1:11-cv-00483-RJJ

Hon. Robert J. Jonker

v

NCR CORPORATION and INTERNATIONAL
PAPER COMPANY,

Defendants.

ORDER ON MOTION TO COMPEL

The Court, having reviewed Plaintiffs' Motion to Compel and brief in support (Dkt. Entries 129 and 130), as well as Defendant NCR's response in opposition to the Motion to Compel (Dkt. Entry 147), and having entertained and considered arguments of counsel at a hearing on March 11, 2012, the Court hereby orders as follows:

1. Defendant NCR Corporation shall produce a properly prepared witness as to deposition topics 6, 8, 9, and 11 in Plaintiffs' December 16, 2011 30(b)(6) deposition notice.
2. Defendant NCR Corporation has the option of notifying Plaintiffs of its intention to produce a more prepared witness, including but not limited to Mr. Gallagher, as to any other numbered topics in Plaintiffs' December 11, 2011 30(b)(6) deposition notice to augment the prior testimony of Mr. Gallagher. Defendant may do so by notifying Plaintiff 10 days prior to the taking of the rescheduled 30(b)(6) deposition. In the event Defendant NCR Corporation chooses not to do so, it will be bound by the answers provided by Mr. Gallagher in his original deposition as to each such topic.

3. The reconvened 30(b)(6) deposition shall last no more than 4 hours (excluding breaks) and shall be held at the offices of Hunton & Williams in Washington, DC.

4. Defendant NCR Corporation shall identify (by deponent name and date) all depositions relied upon by Mr. Gallagher in his 30(b)(6) testimony taken January 25, 2012, and shall produce to Plaintiffs (or provide Plaintiffs with the Bates numbers of) each and every document relied upon by Mr. Gallagher in that testimony.

5. Defendant NCR Corporation shall provide the Court all remaining documents reviewed by Mr. Gallagher in preparation for his original 30(b)(6) deposition for in-camera review by the Court and a determination as to whether they must be produced to Plaintiffs.

IT IS SO ORDERED.

Date: _____

Hon. Hugh W. Brenneman, Jr.
Magistrate Judge

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